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के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Legislative Department)

New Delhi, the 22nd August, 1983/Sravana 31, 1905 (Saka)

The following Act of Parliament received the assent of the President on the 20th August, 1983, and is hereby published for general information:—

THE ELECTRICITY (SUPPLY) AMENDMENT ACT, 1983

No. 16 of 1983

[20th August, 1983.]

An Act further to amend the Electricity (Supply) Act, 1948.

Be it enacted by Parliament in the Thirty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Electricity (Supply) Amendment Act, 1983.

Short title
and com-
mence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In section 59 of the Electricity (Supply) Act, 1948 (hereinafter referred to as the principal Act),—

Amend-
ment
of section
59.

(a) in sub-section (1), for the words “leave such surplus, as the State Government may, from time to time, specify.”, the following shall be substituted, namely:—

‘leave such surplus as is not less than three per cent., or such higher percentage, as the State Government may, by notification in the Official Gazette, specify in this behalf, of the value of the fixed assets of the Board in service at the beginning of such year.

Explanation.—For the purposes of this sub-section, “value of the fixed assets of the Board in service at the beginning of the

year” means the original cost of such fixed assets as reduced by the aggregate of the cumulative depreciation in respect of such assets calculated in accordance with the provisions of the Act and consumers’ contributions for service lines.’;

(b) in sub-section (2), in the opening portion, for the words “the surplus”, the words “any higher percentage” shall be substituted.

Amend-
ment of
section 67.

3. For section 67 of the principal Act, the following section shall be substituted, namely:—

Priority
of liabili-
ties of
the Board.

“67. The Board shall distribute the surplus referred to in sub-section (1) of section 59 to the extent available in a particular year in the following order, namely:—

(i) repayment of principal of any loan raised (including redemption of debentures or bonds issued) under section 65 which becomes due for payment in the year or which became due for payment in any previous year and has remained unpaid;

(ii) repayment of principal of any loan advanced to the Board by the State Government under section 64 which becomes due for payment in the year or which became due for payment in any previous year and has remained unpaid;

(iii) payment for purposes specified in sub-section (2) of section 59 in such manner as the Board may decide.”.

Insertion of
new sec-
tion 67A.

4. After section 67 of the principal Act, the following section shall be inserted, namely:—

Interest
on loans
advanced
by State
Govern-
ment
to be
paid only
after
other
expenses.

“67A. Any interest which is payable on loans advanced under section 64 or deemed to have been advanced under section 60 to the Board by the State Government and which is charged to revenues in any year may be paid only out of the balance of the revenues, if any, of that year which is left after meeting all the other expenses referred to in sub-section (1) of section 59 and so much of such interest as is not paid in any year by reason of the provisions of this section shall be deemed to be deferred liability and shall be discharged in accordance with the provisions of this section in the subsequent year or years, as the case may be.”.

Amend-
ment of
section
68.

5. In section 68 of the principal Act,—

(a) in sub-section (1), the words “Subject to the provisions of section 67,” shall be omitted;

(b) sub-section (2) shall be omitted.

Amend-
ment of
section
69.

6. In section 69 of the principal Act,—

(a) in sub-section (1), for the words “as may be prescribed by the State Government in consultation with the Comptroller and Auditor-General of India”, the words “as the Central Government may, by notification in the Official Gazette, prescribe by rules made in this behalf in consultation with the Comptroller and Auditor-General of India and the State Governments” shall be substituted;

(b) after sub-section (5), the following sub-section shall be inserted, namely:—

“(6) The provisions of sub-section (3) of section 4B shall apply in relation to any rules made by the Central Government under sub-section (1) as they apply in relation to rules made by that Government under Chapter II.”.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.

